

(Minority Report.)

Committee Room,
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, the minority of your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 125,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

KING, for the Minority.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 57, A bill to be entitled "An Act to amend Chapter 60 of the Acts of the Thirty-third Legislature, passed at its regular session and approved March 20, 1913, providing for a special road law for Hunt County,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Johnston of Harris, Chairman, Hall, Bee, Page, Lattimore, King, McNealus.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,
Friday, February 2, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Decherd.
Bailey.	Floyd.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Harley.
Caldwell.	Henderson.
Clark.	Hopkins.
Dean.	Johnson of Hall.

Johnston of Harris. Parr.

King. Robbins.

Lattimore. Smith.

McCollum. Strickland.

McNealus. Westbrook.

Page. Woodward.

Absent.

Dayton. Hudspeth.

Absent—Excused.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 111, A bill to be entitled "An Act to regulate, control and license pool halls and billiard halls in the State of Texas and to provide for bond of the keepers of such halls before license will be issued, and making it a misdemeanor to operate such halls without complying with the terms hereof, and providing punishment for running or operating such halls without first obtaining a license; to repeal Chapter 74 of the General Laws of Texas of the Thirty-third Legislature passed in 1913," with engrossed rider.

H. B. No. 271, A bill to be entitled "An Act to create a more efficient road system for Hopkins County, making the county commissioners of said county road commissioners and prescribing their duties as such, etc.; providing for overseers or road keepers, etc.; providing for the employment of county convicts and their compensation; providing for the employing of delinquent poll tax payers and a penalty for their failure to work on county roads of Hopkins County; providing that this Act shall take the place of and repeal all other special road laws heretofore passed for the benefit of Hopkins County public roads, and declaring an emergency."

H. B. No. 358, A bill to be entitled "An Act to establish the Pampa Independent School District with certain boundaries, including the town of Pampa, Gray County, Texas, with all the powers and privileges of independent school districts, to manage and control the public schools of the same, to elect trustees therefor, to levy and collect taxes for the maintenance of said schools, to issue bonds, and declaring an emergency."

H. B. No. 299, A bill to be entitled "An Act creating the Sinton Independent School District, known as Common School District No. 1, in San Patricio County, Texas, and including within its limits the municipal corporation of the town of Sinton; defining its boundaries, and to provide for the creating of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers, and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools; providing for a board of equalization and prescribing the duty and authority of said board, and further prescribing the duty and authority of the board of trustees; declaring valid an issue of bonds heretofore made; declaring valid a maintenance tax heretofore voted, and repealing all laws in conflict herewith in so far as they conflict with this Act, and declaring an emergency."

H. C. R. No. 6, expressing confidence in Woodrow Wilson and advising him of the loyalty of all Texans.
Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair had referred, after their captions had been read, the following House bills:

H. B. No. 111, referred to the Committee on Criminal Jurisprudence.

H. B. No. 271, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 299, referred to the Committee on Educational Affairs.

H. B. No. 358, referred to the Committee on Educational Affairs.

Executive Session.

The Chair here announced that the hour, 10 o'clock a. m., to which the executive session on January 26th had arisen to reconvene, had arrived, and directed the Chamber cleared of those not entitled to remain.

In executive session, the Secretary reports no progress made, and that the session arose to reconvene at 10:01 o'clock a. m. next Friday, February 9, 1917.

In the Senate.

(Lieutenant Governor Hobby in the chair.)

Senate Bill No. 112—Recommitted.

By unanimous consent, Senator McNealus moved to recommit S. B. No. 112 to the Committee on Public Health.

The motion prevailed.

Simple Resolution No. 56.

(By unanimous consent.)

Whereas, It has come to the knowledge of members of this Senate through the public prints and by general comment throughout the halls of this Capitol, that the manager of the Hancock Opera House had complimented the worthy lady stenographers of the House of Representatives with a free ticket to the great play entitled "The Bohemian Girl" to be given there at an early date, but has not extended the courtesy to the very faithful and altogether worthy and attractive lady stenographers of the Senate, and

Whereas, It would be a just reflection on the chivalry of the members of this body were we to allow this indignity and affront to our lovely employes to go unrebuked, therefore be it

Resolved, That we resent this gross

and palpable slight of so charming and deserving a body of women as compose the stenographic force of the Senate, and declare it to be the duty of the aforesaid stenographers to absolutely withhold their patronage from said opera house, and that they have the moral support of the Senators in this just manifestation of resentment on their part, of the treatment accorded them, until such apologies and reparation be made as the conduct of said manager toward them fully justifies.

CLARK,
HUDSPETH,
SMITH.

The resolution was read.
Senator Johnston of Harris moved to table the resolution.
The motion prevailed.

Recess.

At 12:40 o'clock p. m. the Senate, on motion of Senator Johnson of Hall, recessed until 2:30 o'clock p. m. today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

Petitions and Memorials.

There were no petitions nor memorials offered today.

Committee Reports.

See Appendix for committee reports in full.

Special Committee Report.

The special committee appointed by the Chair pursuant to S. C. R. No. 7 made its report, which will be found in full in the Appendix.

On motion of Senator Henderson the report was adopted by the following vote:

Yeas—18.

Beg.	King.
Ruchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Decherd.	McNealus.
Floyd.	Page.
Gibson.	Parr.
Henderson.	Robbins.
Hopkins.	Westbrook.
Johnston of Harris.	Woodward.

Present—Not Voting.

Bailey.	Dean.
Dayton.	Johnson of Hall.

Absent.

Alderdice.	Harley.
Caldwell.	Hudspeth.
Clark.	Smith.
Hall.	Strickland.

Absent—Excused.

Suiter.

Bills and Resolutions.

House Concurrent Resolution No. 6.

The Chair laid before the Senate H. C. R. No. 6, Expressing confidence in Woodrow Wilson and advising him of the loyalty of all Texans.

The resolution was read and on motion of Senator Page the same was adopted.

By Senator Decherd:

S. B. No. 281, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal school, to be located at Calvert, Texas, and to be known as the Central Texas State Normal School; to regulate admission of students to said college and provide for maintenance of same, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators McNealus, Hudspeth, Caldwell and Woodward:

S. B. No. 282, A bill to be entitled, "An Act to prevent the introduction into and the dissemination in this State of insect pests and diseases injurious or harmful to plants or plant products; vesting the enforcement thereof in the Commissioner of Agriculture and defining his powers and duties."

Read first time and referred to Committee on Agricultural Affairs.

By Senator McCollum:

S. B. No. 283, A bill to be entitled, "An Act to amend Article 6654, Title 115, Chapter 15, of the Revised Civil Statutes of the State of Texas, by adding to the twelve numbered subdivisions thereof Subdivision 13, so as to define the term "railroad station," with obligations incident thereto, and to provide that station limits now existing or hereafter established shall not be changed except on order of the Railroad Commission, and to empower the Railroad Commission of Texas to fix, enlarge or diminish the limits of railroad stations within the State and to require that station service, terminal service or switching service be given within said limits and to prescribe the charges to be demanded and collected for such service, and to make or change rates or charges with respect to stations; restricting the operation of this Act to the movements of freight wholly within the State of Texas, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Hudspeth:

S. B. No. 284, A bill to be entitled, "An Act creating the Barnhart Independent School District, in Irion County, Texas, and defining its boundaries, and providing for the election of a board of trustees to manage and control a public free school within said district; naming the fiscal year as to taxes, investing said district with all powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bailey:

S. B. No. 285, A bill to be entitled "An Act to amend Article 5621, Chapter 2, of the Revised Civil Statutes of the State of Texas, of 1911, relating to liens of mechanics, contractors, builders and material men."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bailey:

S. B. No. 286, A bill to be entitled, "An Act to amend Article 5631, Chapter 2, Title 86, of the Revised Civil Statutes of Texas concerning contractors, builders and material

men's lien on homestead, including ditching, fencing and grubbing on rural homesteads, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Bills Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 292, A bill to be entitled "An Act creating and establishing Brazoria Independent School District in Brazoria County, Texas, and declaring an emergency."

H. B. No. 269, A bill to be entitled "An Act creating the Odem Independent School District, known as Common School District No. 7, in San Patricio County, Texas, and including within its limits the town of Odem," etc.

H. B. No. 163, A bill to be entitled "An Act creating and establishing Freeport Independent School District, in Brazoria County, Texas, and declaring an emergency."

H. B. No. 240, A bill to be entitled "An Act creating the Eighty-second Judicial District of Texas, to be composed of Falls County and rearranging the terms of the Fifty-fourth Judicial District, and eliminating Falls County from said Fifty-fourth District, etc., and declaring an emergency."

Morning call concluded.

Senate Bill No. 237 Ordered Not Printed.

By unanimous consent and on request of Senator McNealus, S. B. No. 237 was ordered not printed in bill form.

Senate Bill No. 11.

(Pending special order.)

The Chair laid before the Senate as pending business under a special order,

S. B. No. 11, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing the

same, and providing for the election of a member of United States Congress from each district, and repealing all laws and parts of laws in conflict therewith."

Action recurred on the amendment offered by Senator Robbins, which is as follows:

Amend S. B. No. 11 by striking out the word "Harrison" in line 21, page 1, of the printed bill, and include the word "Harrison" in line 18, of page 1, of the printed bill after the word "Marion."

The same was read and adopted.

Senator Henderson offered the following amendment:

Amend the bill, lines 27 and 28, page 1, by adding after the word "Rains," in line 28, the words "Lamar County."

Senator Gibson moved to table the amendment, which motion to table prevailed.

On motion of Senator Dayton the bill was passed to engrossment.

On motion of Senator Dayton the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Nays—1.

Floyd.

Present—Not Voting.

Bailey.

Absent.

Clark.
Harley.

McCollum.

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed finally.

Senator Dayton moved to reconsider the vote by which S. B. No. 11

was passed and table the motion to reconsider.

The motion prevailed.

(President Pro Tem. Henderson in the chair.)

Senate Bill No. 251.

Senator Bailey asked unanimous consent to take up at once for consideration S. B. No. 251.

There was objection.

Senator Bailey moved to suspend the regular order of business and take up S. B. No. 251.

The motion prevailed by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	Woodward.
Henderson.	

Nays—3.

Johnson of Hall. Robbins.
McNealus.

Absent.

Caldwell. Harley.
Clark. McCollum.

Absent—Excused.

Suiter.

The Chair laid before the Senate, on second reading:

S. B. No. 251, A bill to be entitled "An Act to create a more efficient road system for Live Oak County, Texas, etc., and declaring an emergency."

Senator Bailey moved to suspend the Senate rule requiring committee reports to lie over one day.

The motion prevailed.

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 251 put on

its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Clark.	McCollum.
Harley.	

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—27.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Clark.	McCollum.
Harley.	

Absent—Excused.

Suiter.

Senator Bailey moved to reconsider the vote by which S. B. No. 251 was passed and table the motion to reconsider.

The motion to table prevailed.

19—Senate.

Senate Bill No. 174.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 174, A bill to be entitled, "An Act to validate, ratify and confirm the title to the south league of a two-league grant to Jose Antonio Sepulveda in Trinity County, abandoning all claims of the State of Texas to said land, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Strickland the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 174 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Dayton.	Lattimore.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Henderson.	Woodward.

Present—Not Voting.

Bailey.	Robbins.
McNealus.	

Absent.

Clark.	McCollum.
Harley.	

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bee.	Hall.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Dayton.	Johnson of Hall.
Dean.	Johnston of Harris.
Decherd.	King.
Floyd.	Lattimore.

Page.	Strickland.
Parr.	Westbrook.
Robbins.	Woodward.
Smith.	

Present—Not Voting.

Bailey.	McNealus.
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Absent.

Clark.	McCollum.
Harley.	

Absent—Excused.

Suiter.

Senator Strickland moved to reconsider the vote by which S. B. No. 174 was passed and table the motion to reconsider.

The motion to table prevailed.

Bills and Resolutions.

(By unanimous consent.)

By Senator Gibson:

S. B. No. 287, A bill to be entitled "An Act to repeal Chapter 104 of the General Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, approved April 2, 1913, the same being an Act to amend Article 4893, Title 71, Chapter 9 of the Revised Civil Statutes of 1911, prohibiting the use of co-insurance clauses in any policy or contract of insurance covering property in this State, and amending said Article 4893, providing that co-insurance clauses may be used in any policy or contract of insurance covering property in this State at the option of the assured, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator McNealus:

S. B. No. 288, A bill to be entitled "An Act authorizing the citizens of this State to take insurance on their lives payable to business partners, firms or corporations, of which they are members or stockholders, religious, charitable, benevolent or educational institutions situated in the State of Texas, and to assign policies to such persons, firms, corporations or institutions.

Read first time and referred to Committee on Insurance and Banking.

By Senators Alderdice, Bee and Decherd:

S. B. No. 289, A bill to be entitled "An Act to provide for a permanent Textbook Commission and Board of Revisions to keep adopted books revised and up to date, and to report which books are satisfactory for continued use in this State; to provide for the renewal of contracts for such textbooks adopted and in use as are satisfactory; to provide for the adoption of a system of uniform textbooks for this State and the appointment of a Textbook Board for such purposes; to authorize the adoption of other books; to prohibit lobbying before the Textbook Board of legal and special representatives or author or publishers; to prescribe rules and regulations for the board in entering into contracts on behalf of the State; to prescribe penalties for violation of the provisions of this Act; to provide for the enforcement of contracts entered into, and to make an appropriation to carry into effect the provisions hereof, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Simple Resolution No. 57.

(By unanimous consent.)

Whereas, The calendar is now crowded and rapidly becoming more so, and

Whereas, About one-half of the session has passed and very few measures have received consideration; therefore be it

Resolved, that the Senate hold a session tonight, commencing at 7:30 o'clock for the purpose of considering local bills only.

Westbrook, Buchanan of Bell, Johnson, Strickland, Alderdice, Hall, Page, Hudspeth, Bee, Parr, Hopkins, Dean, Lattimore, Dayton, Woodward, Gibson, Caldwell, Decherd, Buchanan of Scurry, Robbins, Floyd, Smith, Bailey.

The resolution was read and adopted.

Senate Bill No. 235.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. B. No. 235, A bill to be entitled "An Act to amend Section 23, Chapter 75, General Laws of Texas, creating Duval and other counties, approved February 1, 1858; and to amend Section 1, Chapter 73, General Laws of Texas, creating Jim Hogg County, approved March 31, 1913, the purpose of this Act being to change the boundary line between Duval and Jim Hogg counties so as to conform to the result of elections duly called and held in said counties on the 6th day of January, 1917, the returns of which have been duly estimated, tabulated, certified to, sealed, endorsed and transmitted to the Speaker of the House of Representatives of the State of Texas, in the manner and form prescribed by law, whereby certain territory was detached from Duval County and attached to Jim Hogg County; to repeal all laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 235 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Clark.	McCollum.
Harley.	

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—27.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Clark.	McCollum.
Harley.	

Absent—Excused.

Suiter.

Senator Parr moved to reconsider the vote by which S. B. No. 235 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 251 Reconsidered.

Senator Bailey moved to rescind the vote by which the motion was adopted to table the motion to reconsider the vote by which S. B. No. 251 was passed.

The motion to rescind prevailed.

Senator Bailey moved to rescind the vote by which S. B. No. 251 was passed finally.

The motion prevailed.

The Chair laid before the Senate on third reading:

S. B. No. 251, A bill to be entitled "An Act to create a more efficient road system for Live Oak County," etc.

Action then recurred on the final passage of S. B. No. 251, and the same was passed by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bailey.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Dean.	King.
Floyd.	Lattimore.

Page. Westbrook.
Parr. Woodward.
Smith.

Nays—1.

McNealus.

Absent.

Clark. Johnston of Harris.
Dayton. McCollum.
Decherd. Robbins.
Harley. Strickland.

Absent—Excused.

Suiter.

Senator Bailey moved to reconsider the vote by which S. B. No. 251 was passed and table the motion to reconsider.

The motion to table prevailed.

Refusal to Recess.

Senator King moved that the Senate recess until 7:30 o'clock tonight. The motion was lost.

Motion to Suspend Order.

Senator Caldwell asked for unanimous consent to send up for consideration a simple resolution.

There was objection.

Senator Caldwell then moved to suspend the regular order of business for the purpose of permitting him to introduce a simple resolution.

The motion to suspend was lost by the following vote:

Yeas—14.

Alderdice. Hudspeth.
Bailey. Johnston of Harris.
Bee. McNealus.
Buchanan of Bell. Page.
Caldwell. Parr.
Gibson. Smith.
Hall. Woodward.

Nays—10.

Buchanan of Scurry. Hopkins.
Dean. Johnson of Hall.
Decherd. King.
Floyd. Lattimore.
Henderson. Westbrook.

Absent.

Clark. McCollum.
Dayton. Robbins.
Harley. Strickland.

Absent—Excused.

Suiter.

Senate Bill No. 74 Set for Special Order.

On motion of Senator Hudspeth S. B. No. 74 was set as a special order at the conclusion of the morning call next Tuesday morning, February 6, 1917.

Senate Bill No. 63 Set for Special Order.

On motion of Senator Westbrook S. B. No. 63 was set as a special order for next Monday at the conclusion of the morning call.

Senate Bill No. 183.

By unanimous consent and on request of Senator Lattimore, the Chair laid before the Senate on second reading,

S. B. No. 183, A bill to be entitled "An Act authorizing the incorporation by those engaged in agricultural pursuits of farmers' co-operative societies; defining the character of their business, purpose and locality of such corporations; providing the method by which such corporations may be chartered; fixing the charter fees therefor and exempting them from the payment of franchise taxes; declaring that certified copies of the charters, amendments and by-laws of such corporations shall be filed with the county clerk of the county in which such societies are located; defining the character of reports that must be made by such corporations; fixing the minimum amount of property which such corporations must own and regulating the membership and the membership certificates of such corporations; authorizing such corporations to borrow money, to discount notes in a limited amount; authorizing them to loan money to their members only; empowering them to act as the selling and purchasing agents of their members in the sale of agricultural products and the purchase of machinery, supplies and insurance for their members; giving such corporations authority to

own and operate such machinery and instrumentalities as may be necessary in the production, harvesting and preparation for market of farm and ranch products; fixing the rights of members of such societies; limiting the liability of members of such corporations and authorizing them to provide for an additional liability; providing for appropriate forms for making this Act effective; conferring certain powers and authority upon and fixing certain duties for the Secretary of State and the Attorney General, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 183 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Dean.	Page.
Decherd.	Parr.
Gibson.	Smith.
Hall.	Westbrook.
Henderson.	

Absent.

Clark.	Johnston of Harris.
Dayton.	Robbins.
Floyd.	Strickland.
Harley.	Woodward.
Hopkins.	

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Dean.	Page.
Decherd.	Parr.
Hall.	Smith.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Clark.	Harley.
Dayton.	Johnston of Harris.
Floyd.	Robbins.
Gibson.	Strickland.

Absent—Excused.

Suiter.

Senator Lattimore moved to reconsider the vote by which S. B. No. 183 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 214.

By unanimous consent and on request of Senator Johnson of Hall, the Chair laid before the Senate on second reading.

S. B. No. 214, A bill to be entitled "An Act making emergency appropriation for the support and maintenance of West Texas Normal College to augment the money heretofore appropriated for the regular term of 1917, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 214 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Smith.
Hall.	Westbrook.
Henderson.	

Absent.

Clark.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Harley.	Woodward.
Johnston of Harris.	

Absent—Excused.

Suiter.

The bill was laid before the Sen-

ate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Hall.	Smith.
Henderson.	Westbrook.

Absent.

Clark.	Johnston of Harris.
Floyd.	Robbins.
Gibson.	Strickland.
Harley.	Woodward.

Absent—Excused.

Suiter.

Senator Johnson of Hall moved to reconsider the vote by which S. B. No. 214 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 148.

By unanimous consent and on request of Senator Hopkins, the Chair laid before the Senate on second reading,

S. B. No. 148, A bill to be entitled "An Act to make an emergency appropriation to pay additional teachers during the remainder of the regular session of the North Texas State Normal College, and to supply an omission in the appropriation for the summer session of 1917."

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 148 put on on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Dayton.
Bailey.	Dean.
Bee.	Decherd.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Henderson.
Caldwell.	Hopkins.

Hudspeth.	McNealus.
Johnson of Hall.	Page.
Johnston of Harris.	Parr.
King.	Smith.
Lattimore.	Westbrook.
McCollum.	

Absent.

Clark.	Robbins.
Floyd.	Strickland.
Gibson.	Woodward.
Harley.	

Absent—Excused.

Suiter.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Hall.	Smith.
Henderson.	Westbrook.
Hopkins.	

Absent:

Clark.	Robbins.
Floyd.	Strickland.
Gibson.	Woodward.
Harley.	

Absent—Excused.

Suiter.

Senator Hopkins moved to reconsider the vote by which S. B. No. 148 was passed and table the motion to reconsider.

The motion to table prevailed.

Executive Session—Time Set.

Senator Hudspeth moved that the Senate go into executive session at 10:30 o'clock a. m. next Friday, February 9, 1917, for the purpose of considering appointments by the Governor January 27th.

The motion prevailed.

On Adjournment.

Senator Buchanan of Scurry moved to adjourn until 10 o'clock tomorrow morning.

Senator Westbrook made the point of order that the Senate by the adoption of S. R. No. 57 had bound itself by an order to recess till 7:30 o'clock tonight.

The point of order was overruled.

The motion to adjourn was withdrawn.

Senate Bill No. 160.

By unanimous consent and on request of Senator Parr, the Chair laid before the Senate on second reading,

S. B. No. 160, A bill to be entitled "An Act to increase the authority of the Commissioners Court of Duval County, Texas, and of the county commissioners of said county; to require said county commissioners to devote their entire time and attention to the affairs of said commissioners court, and repealing all laws, general and special, in conflict with the provisions of this Act, and declaring an emergency."

Pending.

Recess.

Senator King, at 6:05 o'clock p. m., moved to recess until 7:30 o'clock tonight.

The motion prevailed by the following vote:

Yeas—12.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Dean.	Lattimore.
Gibson.	Smith.
Henderson.	Westbrook.

Nays—10.

Bailey.	Hudspeth.
Bee.	Johnston of Harris.
Caldwell.	McNealus.
Dayton.	Page.
Hall.	Parr.

Absent.

Clark.	McCollum.
Decherd.	Robbins.
Floyd.	Strickland.
Harley.	Woodward.

Absent—Excused.

Suiter.

After Recess.**(Night Session.)**

The Senate was called to order by the Assistant Secretary of the Senate, G. H. Boynton.

(President Pro Tem. Henderson in the Chair.)

Senator McNealus raised the point of no quorum and the Chair directed that the roll be called for the purpose of ascertaining whether or not a quorum was present.

The following Senators answering to their names:

Present—11.

Bailey.	Johnson of Hall.
Buchanan of Scurry.	McNealus.
Dean.	Parr.
Floyd.	Smith.
Henderson.	Westbrook.
Hopkins.	

Absent.

Alderdice.	Hudspeth.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Decherd.	Robbins.
Gibson.	Strickland.
Hall.	Woodward.
Harley.	

Absent—Excused.

Suiter.

Call of the Senate.

There being no quorum present, Senator McNealus moved a call of the Senate for the purpose of securing and maintaining a quorum.

The motion being duly seconded, the Chair directed the roll of the absentees called, the following Senators being absent.

Alderdice.	Decherd.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Caldwell.	Harley.
Clark.	Hudspeth.
Dayton.	Johnston of Harris.

King.	Robbins.
Lattimore.	Strickland.
McCollum.	Suiter.
Page.	Woodward.

The Sergeant-at-Arms was directed to bring in the absentees, and the doors of the Senate were closed.

After some delay Senators Strickland, King, Dayton, Hudspeth, McCollum, Bee, Hall, Buchanan of Bell, Woodward and Caldwell were announced, which completed a quorum, the following Senators being present:

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Dayton.	Parr.
Dean.	Smith.
Flóyd.	Strickland.
Hall.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Alderdice.	Johnston of Harris.
Clark.	Lattimore.
Decherd.	Page.
Gibson.	Robbins.
Harley.	

Absent—Excused.

Suiter.

On motion of Senator Bailey the absentees as shown by the foregoing roll call, were excused.

Refusal to Adjourn.

At 8:55 o'clock p. m. Senator McNealus moved that the Senate adjourn until 10 o'clock Monday morning, which motion was lost by the following vote:

Yeas—1.

Woodward.

Nays—18.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Dean.	Parr.
Floyd.	Smith.
Hall.	Strickland.
Henderson.	Westbrook.

Present—Not Voting.

McCollum.

Absent.

Dayton.

Absent—Excused.

Alderdice.	Johnston of Harris.
Clark.	Lattimore.
Decherd.	Page.
Gibson.	Robbins.
Harley.	Suiter.

Adjournment.

At 9:00 o'clock, on motion of Senator Bee, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Special Committee Report.

Hon. James E. Ferguson, Governor of Texas; Hon. W. P. Hobby, Lieutenant Governor; Hon. F. O. Fuller, Speaker of the House.

Gentlemen: We, your committee of the Senate and House, in accordance with Concurrent Resolution No. 7,

Beg leave to make this, our report of our investigations in pursuance of said resolution.

We left Austin on Monday night, January 29, and arrived in Stephenville at noon Tuesday following, and spent the entire afternoon inspecting the John Tarleton College and other properties offered to the State of Texas, by the said Resolution No. 7, copy of which is hereto attached.

We found John Tarleton College located within the corporate limits of the town of Stephenville, and consisting of the following buildings:

(a) Administration building erected in 1915, of brick construction, and consists of two stories and a high basement, lighted by electricity, heated by steam, water piped throughout the building, contains an auditorium of a seating capacity of about 500; building also contains administrative offices, sufficient class rooms, also laboratories for chemistry, physics and home economics.

(b) The dormitory for girls has a rooming capacity of about 60; con-

sists of two stories and a basement. This building is of brick veneer, with an imposing entrance and attractively located.

(c) The one-story Fine Arts building of brick construction, in which instruction in music is given.

All of said buildings are properly and neatly furnished and equipped, and we estimate that the three buildings, with the equipment and furnishings, are worth approximately \$85,000.00.

We also inspected the forty acres of land offered in the resolution, consisting of the eight acres on which the present buildings are now situated, and the thirty-two acres adjoining, and found this land well arranged and well adapted and suitably located for campus purposes, and valued, together with the improvements thereon, exclusive of the three buildings above mentioned, at approximately \$40,000.

We visited three 500-acre tracts of land, either one of which the committee believes to be suitable and near enough to the campus to meet the requirements for instructional purposes.

After a careful inspection of the properties referred to above, and a careful consideration of the educational needs of Texas, we recommend that the offer made by the citizens of Stephenville and Erath County be accepted by the State, and that a proper bill embodying such acceptance, be enacted by this Legislature.

MILLER of Dallas,
THOMPSON of Nacogdoches,
BLALOCK,
JOHNSON,

LOW of Washington,
On Part of the House.

HARLEY,
HENDERSON,
WESTBROOK,
GIBSON,
HOPKINS,

On Part of the Senate.
C. J. BARTLETT,
Secretary of State.

Committee Reports.

Committee Room,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 278, A bill to be entitled "An Act amending Articles 2440, 2441, 2442, 2443, 2444 and 2445, Chapter 2, Title 44, of the Revised Civil Statutes of the State of Texas, of 1911, providing for county depositories; providing that the amount of the bond of the county depository shall in no event be for less than the total amount of revenue of the county for the next preceding year, adding Article 2443a, providing and requiring special additional bonds to cover any or all special funds, including the sale, or sales, of bonds belonging to the county, or a subdivision thereof, providing for the substitution of bonds made under the provisions of this Act for bonds now in existence, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, January 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 284, A bill to be entitled "An Act creating the Barnhart independent school district, in Irion County, Texas, and defining its boundaries, and providing for the election of a board of trustees to manage and control a public free school within said district, naming the fiscal year as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency,"

Have had same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Bee, Chairman; Bailey, Robbins, Buchanan of Scurry, Lattimore, Page, Decherd, Floyd, Smith, Alderdice, Dayton, Dean, Gibson, Johnson.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 1, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on

Roads, Bridges and Ferries, to whom was referred

S. B. No. 266, A bill to be entitled "An Act to create a special road law for Delta County; and providing for levying and collecting a road tax; authorizing the commissioners' court of said county to employ road superintendents and laborers on the public roads thereof; also to work convicts in opening, laying out and repairing said roads; giving the commissioners' court the power to establish, change, improve or discontinue public roads, and to purchase and use all necessary teams and implements for that purpose, and giving to said court the power to condemn land for establishing, widening, draining and otherwise improving the public roads, and to cause obstructions to be removed therefrom; making each commissioner of said county a road superintendent in his precinct and prescribing his duties; fixing the compensation for county commissioners for road service, and providing for the general supervision by the commissioners' court of all public roads in said county,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Chairman; Gibson, Buchanan of Scurry, Floyd, Strickland, Smith, Clark.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 251, A bill to be entitled "An Act to create a more efficient road system for Live Oak County, Texas," etc.,

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Clark, Gibson, Buchanan of Scurry, Floyd, Strickland, Smith.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

S. B. No. 118, A bill to be entitled "An Act to aid the city of Paris and Lamar County in the re-establishment and re-building permanent public improvements by donating and granting to them the State ad valorem and a part of the poll taxes and occupation taxes, collected on property and from persons in said County of Lamar, for a period of five years and to provide a penalty for their misapplication,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass.

Johnston of Harris, Chairman; Page, Lattimore, Bee, McNealus, Hall.

(Floor Report.)

Senate Chamber,
Austin, Texas, January 31, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 103, A bill to be entitled "An Act to authorize the construction of and make an appropriation for the construction of a main building, chemical laboratory building, dormitory and power house for the School of Mines of the State of Texas, located in El Paso, Texas, and to make an appropriation of all funds collected from insurance on the burned buildings of said School of Mines for said purpose, and for furnishing, equipping and maintaining said School of Mines, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Caldwell, Parr, Bee, Johnson, Dean, Page, Decherd.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 279, A bill to be entitled "An Act making it an offense for any person who is treasurer of any school district in this State, or for any officer, director, stockholder, agent or employe of any corporation that is the treasurer or depository of any school district in this State to fraudulently take, misapply or convert to his own use any of the money, property or other thing of value belonging to such district or to secrete the same with intent to take, misapply or convert to his own use, or to pay or deliver the same to any person knowing that he is not entitled to receive it; prescribing a penalty and declaring an emergency,"

Has had the same under consideration, and I am instructed to report the bill back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 237, A bill to be entitled "An Act to amend Chapter 179 of the General Laws of the State of Texas passed at the regular session of the Thirty-third Legislature, entitled 'An Act relating to employers' liability and providing for the compensation of certain employes and their representatives and beneficiaries, for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims and for adjudication thereof for consenting parties, fixing the membership and powers of said board, and its compensation and duties, and the method of its appointment, and the term of office of its members, and fixing also

the powers, duties and liabilities of said insurance association and the extent of control over same to be exercised by the Commissioner of Banking and Insurance, and providing also for the insurance of payments of compensation to employes by certain other insurance companies and organizations, and declaring an emergency," and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, for the reason that same has been printed in the Journal.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 22, A bill to be entitled "An Act to protect the lives, health and morals of women workers, establishing an Industrial Welfare Commission for Women, to be composed of the Commissioner of Labor of this State, and the Industrial Accident Board, prescribing its powers and duties and providing for the fixing of minimum wages and the standard condition of labor for such workers; providing penalties for the violation of this Act, making an appropriation therefor, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 188, A bill to be entitled "An Act establishing a Bureau of Vital Statistics for the State Board of Health, providing for an adequate system for the registration of births and deaths in the State of Texas, providing for penalties for the violation of any of the provisions of this Act, making appropriation for the efficient enforcement of same, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 41, A bill to be entitled "An Act to provide for the creation of a hotel commission, the duties of which are to collect an annual license from each hotel and rooming house, having fifteen or more rooms for the use of guests, and all restaurants doing business in the State, and compelling the owners and lessees of such concerns to run same in a sanitary manner, and prescribing punishment for violation of same and carries an appropriation to maintain the commission; effective September 1, 1917,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass,

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 199, A bill to be entitled "An Act to regulate plumbing ventilation and house drainage; and to that end creating the office of State Inspector of Plumbing, with power to appoint deputy inspectors of plumbing; defining their powers and duties, under the authority of the State Board of Health, fixing their compensation, and giving inspectors of plumbing the powers of peace officers; establishing local boards of plumbing examiners; fixing the fees for examination of applicants and providing for the issuance and revocation of licenses, their renewal and for the registration of apprentices; the bonding of master and employing plumbers; requiring municipalities to pass ordinances covering plumbing installation; making an appropriation and providing a special fund out of which the State shall be reimbursed,

and providing penalties for the violation of this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 277, A bill to be entitled "An Act to further regulate the fish and oyster industry in this State by providing for the lease by the Game, Fish and Oyster Commission to parties applying therefor, lands belonging to the State along the gulf coast below the line of ordinary high tide for the purpose of erecting thereon wharves, docks and buildings upon such terms and for such consideration as may be decided upon, not to exceed a term of ninety-nine years; to amend Article 909 of the Penal Code of the State of Texas, 1911, as amended by Chapter 135 of the Acts of the Thirty-third Legislature prescribing the size of certain fish that may be taken; to amend Article 4019 of Revised Civil Statutes of Texas, 1911; prescribing the terms upon which permit shall be granted for the dredging of oyster reefs, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

TWENTIETH DAY.

Senate Chamber,
Austin, Texas,

Saturday, February 3, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.
Bailey.
Bee.

Buchanan of Bell.
Buchanan of Scurry.
Caldwell.